## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

ADAM ROKUSON,

Plaintiff,

Docket No.: 1:12-cv 01615 WFK-VMS

-against-

CENTURY EMPIRE SZECHUAN RESTAURANT INC. HELEN (LAST NAME UNKNOWN), *Individually*, and EMPIRE KING, INC.

Defendants.

## IT IS HEREBY STIPULATED BY AND BETWEEN THE UNDERSIGNED

COUNSEL, pursuant to the Court's Order of November 23, 2015, that the defense motion to dismiss, bearing docket no. 41, is withdrawn with leave to refile on the same papers within ten days of the unsuccessful conclusion of the mediation.

The moving defendants expressly preserve, and in no way waive, the objections set forth in their letter to the Court bearing docket no. 44.

Dated: New York, New York November 24, 2015

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